



Welcome to
the Indigenous Law Centre's
latest newsletter.

Number 4, 2011

ILC : OPEN FORUM SERIES

Recognition of Indigenous People in the Constitution - What will it take to bring about Change?

Thursday 17 March, 2011 6.30pm Law Faculty, UNSW

We are delighted to have among our panel members:

- **Associate Professor Megan Davis**, Director, Indigenous Law Centre, Faculty of Law, UNSW and a member of the Federal Government's Expert Panel on Constitutional Recognition of Indigenous Australians
- **Mick Gooda**, Aboriginal and Torres Strait Islander Social Justice Commissioner, Australian Human Rights Commission
- **Professor George Williams**, Australian Research Council Laureate Fellow, Faculty of Law, UNSW
- **Les Malezer**, Chairperson of the Foundation for Aboriginal and Islander Research Action (FAIRA) and 2008 AHRC Human Rights Medal recipient
- **Paul Kildea**, Co-Director of the Referendums Project at the Gilbert + Tobin Centre of Public Law, Faculty of Law, UNSW.

Event is open to all and is free. RSVP by email to ilc@unsw.edu.au

ILC NEWS

Federal Government's Expert Panel on Constitutional Recognition of Indigenous Australians

Associate Professor Megan Davis was appointed in December to the Federal Government's Expert Panel on Constitutional Recognition of Indigenous Australians. The Expert Panel has been appointed to consult with the Indigenous community and Australian people about the appropriate way to recognise Indigenous peoples in the Constitution. The Expert Panel will consult with constitutional experts. The Terms of Reference are available here:

http://www.fahcsia.gov.au/sa/indigenous/progserv/engagement/Pages/communique_expert_panel_indig.aspx.

Speeches/seminars/conferences

Megan Davis was keynote speaker at National Indigenous Law Conference in Canberra, 1 October 2010.

Kyllie Cripps presented at the [Healing Our Spirit Worldwide Conference](#) in Hawaii, 3 – 10

September 2010.

Megan Davis delivered the [11th Vincent Lingiari Memorial Lecture](#) in Darwin, 19 August 2010.

Megan Davis spoke on UN and UNDRIP at Black History Month in Brisbane, 12 August 2010.

Megan Davis taught for UN Institute of Training and Research on Conflict Resolution and Peace Building Capacities of Indigenous Peoples in Cartigny, Switzerland, 19 July 2010.

Megan Davis attended UN Expert Mechanism on the Rights of Indigenous Peoples, Geneva, 14 – 16 July 2010.

Megan Davis was keynote speaker at [UNSW Nura Gili Winter School](#) dinner, 7 July 2010.

ILC Publications for 2010

Refereed

M Davis and Z Lemezina, 'Indigenous Australians and the Preamble: Towards a More Inclusive Constitution or Entrenching Marginalisation' (2010) 33 (2) *University of New South Wales Law Journal* 239-266 (A1).

Dylan Lino, 'The Politics of Inclusion: The Right of Self-Determination, Statutory Bills of Rights and Indigenous Peoples' (2010) 34(3) *Melbourne University Law Review* (forthcoming) (A1).

Erin Mackay 'Regulating Rights: The Case of Traditional Knowledge' (2010) 7(21) *Indigenous Law Bulletin* 12.

Book chapters

K Cripps, 'Chapter 11: Indigenous family violence: Pathways forward', in Dudgeon, P., & Walker, R. (in press ~ 2010) *Indigenous mental health*. Australian Council for Education Research: Camberwell.

(forthcoming) M Davis, 'Justifying Designated Parliamentary Seats: International Law and Indigenous Peoples' Right to Self-Determination in Tham, Costar and Orr (eds), *Electoral Regulation and Prospects for Australian Democracy* (Melbourne University Press 2011).

(forthcoming) M Davis, Identity, Power and Rights: The State, International Institutions and Indigenous Peoples in Canada in Gomez and Sawyer (eds) (*title not confirmed, Palgrave 2011*).

Non-refereed

Megan Davis and Dylan Lino, 'Constitutional Reform and Indigenous Peoples' (2010) 7(19) *Indigenous Law Bulletin* 3.

Dylan Lino, 'Monetary Compensation and the Stolen Generations: A Critique of the Commonwealth Labor Government's Position' (2010) 14(1) *Australian Indigenous Law Review* 18.

Erin Mackay 'Indigenous IP Update' (2010) 28(2) *Copyright Reporter* 130.

Erin Mackay 'Interview with Terri Janke' (2010) 7(16) *Indigenous Law Bulletin* 26.

K Cripps, L Miller & J Saxton-Barney, "Beating the Drums of Silence: Current practice and partnerships in Indigenous violence and disabilities" (2010) 7 *Indigenous Law Bulletin* 21, 3-6.

K Cripps & L Miller, "Mutant Messages 3: Victoria's Indigenous Family Violence Plan" (2010) 7 *Indigenous Law Bulletin* 18, 10-13.

ILC Research briefs

ILC Research Brief No. 1, 2010 [Sexual Violence and Indigenous Victims: Women, Children and the Criminal Justice System.](#)

ILC Research Brief No. 2, 2010 [Constitutional Reform and Indigenous Peoples.](#)

ILC Research Brief No. 3, 2010 [Options for Amendment to the Australian Constitution.](#)

Publications

Indigenous Law Bulletin

In the next general edition of the ILB, we consider a wide range of issues affecting Indigenous people in Australia. Robyn Ayres, the Executive Director of the Arts law Centre of Australia, provides us an update on the Art Law Centre that includes a discussion of the Indigenous Wills project and the need for law reform to the *Aboriginal Affairs Planning Authority Act 1972* (WA). Jason Behrendt shares his views on the interpretation of s.36(1)(b1) of the *Aboriginal Land Rights Act 1983* NSW. Peter Billings looks at income management for social welfare recipients in Queensland, New South Wales and prescribed parts of the Northern Territory. Amanda Alford and Rosalind Croucher from the Australian Law Reform Commission (ALRC) discuss and reflect on the ways in which the Commission engaged with Indigenous stakeholders and outline the ways in which indigenous people can be more actively involved in the process of law reform. Priscilla Collins and Ruth Barson examine the Northern Territory *New Era in Corrections Policy* and question whether the policy is responsive to the Royal Commission into Aboriginal Deaths in Custody. Moving abroad this edition also includes an extract of the President of the United States of America, Barack Obamas speech supporting the UN *Declaration on the Rights of Indigenous Peoples*.

This year marks the 30th Anniversary of the ILB and to celebrate the occasion a special edition will be released. The special edition includes commentary from MP Linda Burney, former High Court Judge; the Hon. Michael Kirby AC CMG, Professor Garth Nettheim and Indigenous Law Centre Director Megan Davis. The Indigenous Law Centre (ILC) and Faculty of Law will be hosting a launch of the special edition on the **27th July 2011** at the Law Faculty in the evening, check our website for updates ilc@unsw.edu.au

In an effort to ensure that the ILB is a valuable resource to the community the ILB is trialling a new Fact Sheet Project. The first fact Sheet will examine tenancy issues for women who are victims of domestic violence. It is hoped that these fact sheet will be of great use to our readers.

The ILB editor and ILC coordinator recently attended Yabun - to celebrate Survival Day and network with community members. The store was well visited throughout the day; everyone received the latest edition of the ILB and latest ILC Research Brief on Constitutional Reform, as well as, information on how to subscribe to the ILB.

April Long – Editor



Daniel Wells & April Long



Dances at Yabun

Volume 14 Number 1 out now

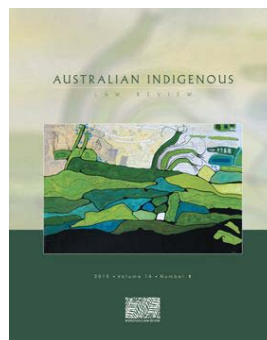
It is an exciting time at the Australian Indigenous Law Review. We have just put out the latest edition, Volume 14(1), which reflects on a diverse range of issues that impact Indigenous people, including: compensation for the Stolen Generations; the new National Congress of Australia's First Peoples; Indigenous Land Use Agreements; justice re-investment; the Government's NTER consultation process; and exemptions available from local government rates for Indigenous organisations.

We have also started work on our upcoming edition, which will have more of an international focus. Submissions we have received so far address the use of Maori language in the New Zealand Parliament; racial discrimination against Indigenous peoples in sporting tribunals; legal personality as a vehicle for recognising Indigenous peoples' relationships to water; and the rights of Indigenous people under the Canadian Charter of Rights and Freedoms.

Finally, there has been a change of Editors. Michelle Bradley is graduating and moving on to a position at the NSW Land and Environment Court. Michelle has also been a researcher at the ILC working with Megan Davis for the past 2 years on constitutional reform and the Civics and the Law project. We wish her the best of luck at the Land and Environment Court. Daniel Threlfall and Daniel Wells have taken over as co-editors.



Latest issue
Volume 7(22)
Jan/Feb 2011



[Volume 14\(1\) out now](#)

The [ILC homepage](#) is regularly updated with Centre activities.
If you no longer wish to receive this bi-monthly update please email: ilc@unsw.edu.au
